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| APPLICATION NO.             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------|-------------|----------------------|---------------------|------------------|
| 10/024,222                  | 12/21/2001  | Jin Hee Jung         | 8733.445:00         | 3350             |
| 30827                       | 7590        | 06/08/2007           |                     |                  |
| MCKENNA LONG & ALDRIDGE LLP |             |                      | EXAMINER            |                  |
| 1900 K STREET, NW           |             |                      | FINEMAN, LEE A      |                  |
| WASHINGTON, DC 20006        |             |                      |                     |                  |
|                             |             |                      | ART UNIT            | PAPER NUMBER     |
|                             |             |                      | 2872                |                  |
|                             |             |                      | MAIL DATE           | DELIVERY MODE    |
|                             |             |                      | 06/08/2007          | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/024,222

Applicant(s)

JUNG, JIN HEE

Examiner

Lee Fineman

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 52-55, 57 and 59-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 52-55, 57 and 59-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 May 2007 has been entered in which claims 52, 55, and 57 were amended and claims 43-44, 47-51, 56, and 58 were cancelled. Claims 52-55, 57 and 59-62 are pending.

### *Claim Objections*

2. Claims 52-55, 57 and 59-62 are objected to because of the following informalities: Claim 52 contains a period instead of a comma after the word information in the limitation "preparing a display panel having first and second pixels for displaying left-eye and right-eye image information, respectively; ...". The dependent claims inherit the deficiencies of the claims from which they depend. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 52-55, 59-60, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiguchi, US 6,368,760 B1 in view of Moseley et al., US 6,046, 849.

Regarding claim 52, Nishiguchi discloses a method for fabricating a stereoscopic display device, comprising: preparing a display panel (fig. 2) having first and second pixels for displaying left-eye and right-eye image information, respectively (see at least column 5, lines 31-37); and forming a polarizer (24a) on the display panel (fig. 2); forming a transparent substrate (21a); forming a retardation layer (25) on the transparent substrate (21a) without an alignment layer between the retardation layer and the transparent substrate (fig. 2); forming first and second polarizing cell areas (25a and 25b) in the retardation layer corresponding to the first and second pixels over the display panel (see at least column 5, lines 31-37) by a single light irradiation through a mask (61, figs. 6A-6C); and, mounting the retardation layer on the transparent substrate to the display panel (fig. 2). Nishiguchi discloses the claimed invention except for forming an adhesive layer between the polarizer and the transparent substrate; and the retardation layer including a chiral dopant with a predetermined pitch. Nishiguchi further discloses that the retardation layer can be made from liquid crystal material (see at least column 9, lines 24-37) and Moseley et al. teach a stereoscopic display apparatus (figs. 10-11) comprising a liquid crystal display panel (1), a polarizer (21) and a patterned retarder material (67 in 20 see figs. 17 and 18) wherein the retardation layer (67) is a liquid crystal material containing a chiral dopant with a predetermined pitch for enabling light modulation (column 18, lines 1-7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the liquid crystal retarder material of Nishiguchi include a chiral dopant with a predetermined pitch as taught by Moseley et al. to provide a specific continuous rotation direction in the retarder

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(column 18, lines 4-6, Moseley). Moseley et al. further teach that adhesives are a well known material for bonding elements like polarizers in a display device (see column 22, lines 55-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to bond the polarizer to the transparent substrate with an adhesive (i.e., form an adhesive layer between the polarizer and the transparent substrate) as taught by Moseley et al. to be able to permanently affix the elements together when matched up/aligned appropriately.

Regarding claim 53, Nishiguchi further discloses polymerizing the retardation layer by irradiating a light (column 15, lines 5-27).

Regarding claim 54, Nishiguchi further discloses wherein the display panel is a liquid crystal display (LCD) panel (column 16, line 67).

Regarding claim 55, Nishiguchi further discloses wherein the polarizer integrally formed with the retardation layer (fig. 2).

Regarding claims 59 and 60, Nishiguchi further discloses wherein the first and second polarizing cell areas are arranged in alternating lines (fig. 6C) or in a checkered pattern (fig. 3).

Regarding claim 62, Nishiguchi further discloses wherein forming the retardation layer having first and second polarizing cell areas does not include removing a portion of the retardation layer (see figs. 6A-6C).

5. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiguchi in view of Moseley et al. as applied to claim 52 above and further in view of Deanne et al., US 6,627,305 B1.

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Nishiguchi in view of Moseley et al. as applied to claim 52 above disclose the claimed invention except for explicitly stating that the transparent substrate is made from a solvent-proof polymer. Solvent proof polymers such as polyimide are well known in the art for use as substrates in liquid crystal systems as evidenced by Deanne (column 1, lines 38-39). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a well-known solvent proof polymer such as polyimide disclosed by Deanne et al. as the material for the transparent substrate of Nishiguchi in view of Moseley et al. to reduce the weight of the system (Deanne, column 1, lines 37-38).

6. Claim 61 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiguchi in view of Moseley et al. as applied to claim 53 above and further in view of Franklin et al., EP 0 477 882 A2.

Nishiguchi in view of Moseley et al. as applied to claim 53 above disclose the claimed invention except for wherein the retardation layer is covered with a protecting polymer. Franklin et al. discloses a polarizer stereoscopic display apparatus (fig. 1 and fig. 8a) comprising a liquid crystal display panel (12); a polarizer (column 2, lines 8-10 and fig. 8a); and a patterned retarder (22) wherein the patterned retarder is covered with a protecting polymer (column 4, lines 22-24 and fig. 8a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a protecting polymer as taught by Franklin et al. to the retardation layer of Nishiguchi in view of Moseley et al. to prevent accidental damage to the layer.

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*Response to Arguments*

7. Applicant's arguments with respect to claims 52-55, 57 and 59-62 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Fineman whose telephone number is (571) 272-2313. The examiner can normally be reached on Monday - Friday 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lee Fineman  
Patent Examiner  
AU 2872  
6 June 2007